IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CIVIL WRIT PETITION NO.5989 OF 1995

Hindustan Aeronautics Ltd. Petitioner
Vs.
State of Maharashtra & ors. Respondents

Mr.P.K.Rele with Mr.S.S.Pakale for petitioner.
Mr.P.M.Patil, AGP for Resp.Nos.1 to 3.
Mr.Rajiv Patil for Resp.No.4.

CORAM: B.H.MARLAPALLE & D.B.BHOSALE,JJ.

March 13, 2006.

P.C.

. In this petition filed under Article 226 of the Constitution the Notification dated 15/5/1995 issued by the Respondent Nos.2 and 3 under the Contract Labour (Regulation and Abolition) Act, 1970 has been challenged. By the subsequent amendment the proceedings before the State Advisory Contract Board and the consequent Notification earlier impugned have also been challenged.

. During the pendency of this petition, the Supreme Court has already decided the SLP filed by the present petitioner. The three-Judge Bench in the petitioner's case i.e. Hindustan Aeronautics Ltd. vs. Hindustan Aero Canteen K.Sangh **[2003 (I) LLJ 494**], by relying upon the earlier decision of the

Constitution Bench in the case of Steel Authority of India Vs. National Union Waterfront Workers **[AIR 2001 SC 3527**], has held that the petitioner being the Undertaking of the Central Government, it is the Central Government and not the State Government.

. In view of the law laid down by the Apex Court in the petitioner's case, this petition succeeds and the same is hereby allowed in terms of prayer clauses (a) and (aa). Rule made absolute accordingly with no order as to costs.

(D.B.BHOSALE,J.) (B.H.MARLAPALLE,J.)